

## EXHIBIT 1



Entered on Docket  
March 12, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SIXTEENTH  
OMNIBUS OBJECTION OF THE  
USACM LIQUIDATING TRUST TO  
CLAIMS FOR LACK OF  
DOCUMENTATION**

Date: February 21, 2008  
Time: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

- The USACM Liquidating Trust (the “USACM Trust”) filed its Sixteenth Omnibus Objection to Claims for Lack of Documentation [DE 5602] (the “Objection”) on January 8, 2008. Appropriate notice of the Objection was given. No opposition to the Objection was received by USACM Trust counsel or filed with this Court. The Objection came before the Court for hearing on February 21, 2008 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust’s Sixteenth Omnibus Objection to Claims for Lack of Documentation; and

- Disallowing the Proofs of Claim listed on the attached Exhibit A without prejudice to any rights the claimants listed in Exhibit A may have as Direct Lenders in a particular loan.

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PREPARED AND SUBMITTED:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

John Hinderaker

*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*

<b>USACM Liquidating Trust</b> <b>ORDER SUSTAINING SIXTEENTH OMNIBUS</b> <b>OBJECTION OF THE USACM LIQUIDATING TRUST TO</b> <b>PROOFS OF CLAIM FOR LACK OF DOCUMENTATION</b> <b>BK-S-06-10725-LBR</b>			
<b><u>Creditor Name</u></b>	<b><u>Claim No.</u></b>	<b><u>Date Filed.</u></b>	<b><u>Amount</u></b>
David M. & Marcy P. Edwards Family Trust c/o David M. & Marcy P. Edwards, Trustees 9528 Yucca Blossom Drive Las Vegas, Nevada 89134	10725-02531	6/7/07	\$50,000.00
Kreykes, Ronald & Linda 4928 Wind Hill Court W Fort Worth, Texas 76179-6410	10725-02554	6/18/07	Amount Not Stated
Joseph Mele 16882 Rose Apple Drive Delray, Florida 33445	10725-01348	11/13/06	\$107,200.00
Eric and Cassie Lester 500 West Goldfield Avenue Yerington, Nevada 89447-3317 and Zachariah Larson, Esq. Larson & Stephens 810 S.Casino Center Blvd., Suite 104 Las Vegas, Nevada 89101	10725-01434	11/14/06	\$2,558,685.81
Eric and Cassie Lester 500 West Goldfield Avenue Yerington, Nevada 89447-3317 and Zachariah Larson, Esq. Larson & Stephens 810 S.Casino Center Blvd., Suite 104 Las Vegas, Nevada 89101	10725-01436	11/14/06	\$2,558,685.81

**EXHIBIT A**

USACM Liquidating Trust <b>ORDER SUSTAINING SIXTEENTH OMNIBUS                      OBJECTION OF THE USACM LIQUIDATING TRUST TO                      PROOFS OF CLAIM FOR LACK OF DOCUMENTATION                      BK-S-06-10725-LBR</b>			
<u>Creditor Name</u>	<u>Claim No.</u>	<u>Date Filed.</u>	<u>Amount</u>
Ronald G. Gardner c/o Jeffrey L. Hartman, Esq. 510 West Plumb Lane Suite B Reno, Nevada 89509	10725-01321	11/10/06	Amount Not Stated
Ronald G. Gardner c/o Jeffrey L. Hartman, Esq. 510 West Plumb Lane Suite B Reno, Nevada 89509	10725-01324	11/10/06	Amount Not Stated